

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MYRTIS PAULO HART,

Plaintiff,

v.

Civ. No. 21-0136 KG-KK

FNU JUDD, *et al*,

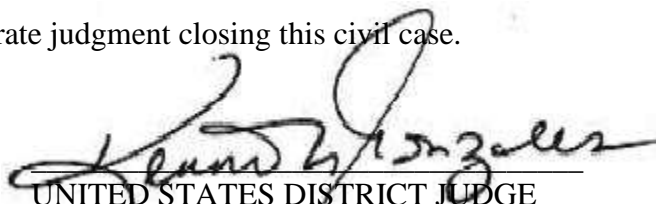
Defendants.

ORDER OF DISMISSAL

This matter is before the Court following Plaintiff's failure to prosecute his Prisoner Civil Rights Complaint (Complaint). (Doc. 1). On June 4, 2021, the Court entered an Order to Show Cause after a mailing to Plaintiff was returned as undeliverable. (Doc. 6). Plaintiff was directed to notify the Clerk of his new address by July 4, 2021. *See* D.N.M. LR-Civ. 83.6 (*pro se* parties have a continuing duty to notify the Court of their current address); *Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) ("It is incumbent on litigants, even those proceeding *pro se*, to follow ... simple, nonburdensome local rules....") (citations omitted). The Order was also returned as undeliverable, and Plaintiff failed to timely update his address. Hence, the Court will dismiss the Complaint under Fed. R. Civ. P. 41(b) for failure to prosecute and comply with orders. *See Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003) ("Rule [41] ... permit[s] courts to dismiss actions *sua sponte* for a plaintiff's failure to ... comply with [civil rules and] court orders.").

IT IS ORDERED:

1. Plaintiff's Prisoner Civil Rights Complaint (Doc. 1) is dismissed without prejudice.
2. The Court will enter a separate judgment closing this civil case.



UNITED STATES DISTRICT JUDGE